

February 6, 2018

Mr. Devin Leary
Human & Rohde, Inc.
512 Virginia Avenue
Towson, MD 21286

Re: 12216/12222 Eastern Avenue
Forest Buffer Variance
Tracking # 06-18-2640

Dear Mr. Leary:

This Department has completed review of the above referenced request for a variance to the Baltimore County Code, Article 3 Environmental Protection and Resource Management, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains. If granted, the request would allow a 5,400 square foot reduction of the forest buffer and a 1,020 square feet reduction of the 25-foot setback for the construction of a commercial warehouse building. No wetland, stream, or forest impacts will occur based on the applicant's proposal. The buffer encompasses the western and southern sides of the property. A forest buffer variance for this site was previously granted on December 10, 2013; a more recent floodplain study has resulted in a larger forest buffer and therefore the previous variance is moot. The applicant is proposing to include an additional 7,160 square feet within the forest buffer on the west and southwestern end of the site.

This Department has reviewed your request, and has determined that a practical difficulty exists given the existing uses and development on site. Therefore, in accordance with Article 33-3-106 of the Baltimore County Code, we will grant the request with the following conditions:

1. The following note must appear on all plans and plats submitted for this project:
 - a. "A variance was granted by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains on February 6, 2018. This variance approved the reduction of the forest buffer and the associated 25-foot setback. Conditions were placed on the approval to reduce water quality impacts including the installation of permanent fencing and protective signage along the Forest Buffer Easement. Any change in land use shall nullify this variance."
2. A permanent fence with "Forest Buffer-Do Not Disturb" protective signs shall be installed along the limit of the forest buffer prior to building permit approval.

Mr. Devin Leary
12216/12222 Eastern Avenue
Forest Buffer Variance
February 6, 2018
Page 2

3. The fence must be detailed in a Forest Buffer Protection Plan (FBPP). The FBPP must receive approval by this office prior to grading permit approval.
4. Prior to grading permit approval, an Environmental Agreement shall be signed, and a Forest Buffer Protection security shall be posted. The security shall be 110% of the estimate to erect the permanent fence.

It is the intent of this Department to grant this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and an amended variance request.

Please have the property owner sign the statement below and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of this project.

If you have any questions regarding this correspondence, please call Ms. Regina Esslinger at (410) 887-3980.

Sincerely yours,

David V. Lykens
Deputy Director

I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner' Signature

Date

Printed Name

Co-owner's Signature

Date

Printed Name